

EXHIBIT 27

FILED

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The Honorable LeRoy McCullough
KING COUNTY
Courtroom 4A, Dept. 32
SUPERIOR COURT CLERK
Hearing: Friday, February 23, 2018
Without Oral Argument

CASE NUMBER: 17-2-07094-7 KNT

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

CRISANTO MEDINA, a married man; and
FIRS HOME OWNERS ASSOCIATION, a
domestic nonprofit corporation,

Petitioners,

v.

CITY OF SEATAC, a Washington municipal
corporation; and FIFE MOTEL INC., a
domestic corporation, *et al.*,

Respondents.

Cause No. 17-2-07094-7 KNT

**RESPONDENT CITY OF SEATAC'S
RESPONSE TO FIFE MOTEL'S MOTION
TO REQUIRE SECURITY TO
MAINTAIN STAY (AMENDED)**

I. SUMMARY OF RESPONSE.

Respondent, City of SeaTac ("City"), files this amended Response to Fife Motel's Motion to Require Security to Maintain Stay, and does not take a position with regard to Respondent, Fife Motel's ("Fife Motel"), Motion to Require Security to Maintain Stay ("Motion"). Specifically, the amended portion of this response clarifies the City's responsibility with respect to SeaTac Municipal Code ("SMC") 15.465.600(H)(2)(k), found in the Argument portion of this amended Response.

**RESPONDENT CITY OF SEATAC'S RESPONSE TO
FIFE MOTEL'S MOTION TO REQUIRE SECURITY TO
MAINTAIN STAY (AMENDED) - 1**
Crisanto Medina, et al., v. City of SeaTac, et al.
Cause No. 17-2-07094-7 KNT

CITY OF SEATAC, LEGAL DEPARTMENT
4800 South 188th Street | SeaTac, WA 98188
Telephone: (206) 973-4640
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II. FACTS.

This Land Use Appeal pertains to the City of SeaTac Hearing Examiner upholding the City's administrative approval of a Mobile Home Park Relocation Plan ("Relocation Plan"). The Plan was submitted to the City by Respondent Fife Motel pursuant to SMC 15.465.600(H).

Fife Motel does business as the Firs Mobile Home Park ("Firs MHP") and its President is Jong Park ("Mr. Park"). On May 27, 2016, Fife Motel submitted a draft Relocation Plan to the City's Department of Community and Economic Development ("CED") for review and comment. The final Relocation Plan was approved by the City on October 17, 2016. The Petitioners timely filed an appeal of the Hearing Examiner of the City's decision to approve the Relocation Plan.

The SeaTac Hearing Examiner, who presided over the Petitioners' appeal, upheld the City's approval of the Relocation Plan through a Report and Decision issued on February 22, 2017. The Petitioners' Motion for Reconsideration was subsequently denied by the Hearing Examiner on March 6, 2017. The Petitioners timely filed this Land Use Petition on March 24, 2017.

III. ARGUMENT.

The City has received and reviewed Respondent Fife Motel's Motion and understands its contents. As previously stated in pleadings previously filed in matter, the narrow issue in which the City is involved is whether the Hearing Examiner erred in upholding the City's administrative approval of a Mobile Home Park Relocation Plan.

The crux of the issue in Fife Motel's motion pertains to the collection of rent. All facts relevant to the collection of rent occurred subsequent to the Hearing Examiner's decision on February 22, 2017. The City was not then nor is now a party to this issue. This appears to be an issue that solely exists between Fife Motel and Petitioners. However, to alleviate some concerns

1 of the Petitioner, the City reiterates that the provisions of SMC 15.465.600(H)(2)(k) still apply,
2 which provides:

3 "Once the relocation plan has been deemed by the Director to be
4 satisfactorily implemented, the City shall issue a certification of
5 satisfactory completion. The mobile home park shall not be closed
6 prior to the issuance of said certificate. The relocation plan shall be
7 deemed to be satisfactorily implemented when the plan's stated
actions have been implemented and when all tenants have
relocated."

8 Therefore, the City CED Director cannot issue a certificate of satisfactory completion until the
9 relocation plan's stated actions have been implemented and until all tenants have relocated.

10 **IV. CONCLUSION.**

11 Based upon the foregoing, the City respectfully takes no position with regard to Fife
12 Motel's Motion to Require Security to Maintain Stay.

13 DATED this 22nd day of February, 2018.

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18 Mary Mirante Bartolo, WSBA #20546
19 City of SeaTac, City Attorney
Attorneys for Respondent, City of SeaTac

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington, I caused the original of the foregoing document to be electronically filed with the King County Superior Court, which also served an electronic copies of the foregoing to the following attorneys of record:

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DATED this 21st day of February, 2018.

s/ Ellaine M. Wi

Ellaine M. Wi, *Legal Analyst*
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**RESPONDENT CITY OF SEATAC'S RESPONSE TO
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